

TROOPS MAY REMAIN

Governor Must Call Legislature Within Five Days.

PRESIDENT ANSWERS SPARKS

Wishes to Place Upon State Authorities Responsibility for Any Insurrection at Goldfield, and Soldiers to Stay Until It Is Found Whether Special Session Meets January 2.

For the purpose of placing fairly and squarely upon the governor and legislature of Nevada full responsibility for any insurrection that may follow the withdrawal of the Federal troops from Goldfield, President Roosevelt has given the governor until January 2 to call the legislature in a special session to devise means for maintaining peace and good order.

Reiterating his belief that the State has utterly failed to discharge its police power, the President, in a telegram sent the governor yesterday from his Virginia farm, announces that if a call is issued within five days for the assembling of the legislature, Federal troops will be retained for the three weeks' time specified by Gov. Sparks as necessary for the convening and organization of that body.

If no call is issued within that time, the troops are to be immediately returned to their former stations.

The President meets the governor's excuse that he deems a special session inadvisable by declaring that the Constitution of the United States imposes upon the legislature, and not the governor, the duty of calling upon the Federal government to protect the State against domestic violence.

It has been hinted that interests adverse to President Roosevelt are anxious to have him become embroiled in a labor fight, particularly if it could be shown that he has interfered with the police power of a State.

Newlands Sees Root.

Senator Newlands, of Nevada, had a short conference with Secretary Root yesterday in regard to the withdrawal of the troops.

Later the Senator gave out the following telegram, which he sent to Gov. Sparks:

"My opinion is that in order to justify the national government in using its armed forces to protect the State against domestic violence, it is necessary, under the Constitution, that application should be made by the legislature or (when the legislature cannot be convened) by the governor.

"It is necessary therefore for you, in my judgment, to convene the legislature, and to obtain its decision as to whether application should be made to the President for protection or an adequate law passed for the organization of a State police force, to maintain order and protect life and property.

"Individually I believe in the latter course, and that the good name of Nevada requires that it assert its sovereignty, maintain order, and protect life and property within its boundaries, and that its duty is plain. The peace force should not be under the control of or paid by either the mine owners or the miners, but should stand aloof from the industrial contest between them with a single eye to the maintenance of order and the protection of life and property.

"In all that you have done I recognize the difficulty of the situation, your patriotic intentions, and your desire to prevent violence and bloodshed in the interest of the common good; but it is clear that the State must sooner or later assert its sovereignty and its firm determination, unaided by the national government, to suppress all violence; and I believe the time is now.

"I cannot believe that the legislature can fail to act promptly and decisively. If it does not so act, the responsibility is theirs, not yours.

GOLDFIELD MINERS JUBILANT.

Judge Refuses Owners Temporary Restraining Order.

Carson City, Nev., Dec. 28.—Federal Judge Farrington to-day set January 3 for the hearing of the mine owners' petition for an injunction against the miners' union at Goldfield. He refused to issue a temporary restraining order, but announced that any overt act by the union would be a signal for attacks on nonunion miners and that the sheriff has not the force to make any headway against such violence.

FUNDAL OF JUDGE DAVIS.

Will Be Held at St. John's P. E. Church To-morrow.

Funeral services for Judge John Chandler Bancroft Davis, who died at his residence, 121 H Street northwest on Friday afternoon, will be held at St. John's P. E. Church to-morrow afternoon at 2:30 o'clock. The body will be sent to Long Island for interment.

Judge Davis was a native of Massachusetts, and was eighty-five years old. He was widely known as a diplomat, and was regarded as an authority on constitutional and international law. He was reporter of the United States Supreme Court for ninety years, and served as secretary of the United States legation in London, and has performed many other important services for his country.

BUILDING YEARS COMPLETION.

The first building of the Eastern factory of the Carter Motor Car Corporation, at Hyattsville, Md., which has been under construction for several months, will soon be ready for occupancy. All that is now needed to complete the building is the roof and laying of concrete floor. This building has 12,000 feet of floor space, which will afford, it is said, ample room to begin the assembling of cars. Foundations are laid for two more buildings. Officers of the company say it is their purpose to begin assembling automobiles in the first building as soon as it is completed.

MYSTIC SHRINE ELECTION.

Almas Temple, Order of the Mystic Shrine, will conduct their annual session to-morrow night, when officers for the coming year will be elected. The ballot boxes will be open from 2:30 until 8 o'clock.

GIRL MAY WED CLARKSON.

Helen Maloney to Marry Man With Whom She Eloped.

New York, Dec. 28.—Helen Maloney, daughter of Standard Oil Multi-millionaire Martin Maloney, is to marry Samuel Clarkson, the Englishman with whom she was reported to have eloped several months ago, according to a London dispatch to the New York World this morning.

The World does not quote its authority, but says the solution of the tangle was due to Miss Maloney herself.

It is added that the young woman left Clarkson only with the understanding that the separation was to continue merely pending appeal to the church to free her from her marriage to Arthur Herbert Osborne.

PRESIDENT HAS POOR LUCK

He and Dr. Rixey Get but One Rabbit and One Partridge.

Mrs. Roosevelt and Mrs. Carew Take Advantage of Balm Air at Pine Knot for Drive.

Scottsville, Va., Dec. 28.—Mrs. Roosevelt and Mrs. Carew, Mrs. Roosevelt's sister, both of whom are with the President, together with Mrs. Roosevelt's children, at Pine Knot, the President's Virginia home, for a season of post-Christmas hunting, took advantage of the balm air to-day to enjoy a long drive behind a pair of bays from the Wilmer Stables. The ladies occupied the back seat of the rig, with Joseph Wilmer, of Plain Dealing, with Kermit Roosevelt, by his father's side, in the front, driving.

Mrs. Roosevelt wore a light coat, with a small, dark hat, and green veil.

The President and Dr. Rixey took to the woods this morning with guns and dogs, on the lookout for such game as might present itself. The President's luck was confined to one rabbit and one partridge.

Quentin is roughing it in the country, and having a good time in his own individual way. Quentin is telling some wonderful stories of bear hunts. He says bear meat is so hard and tough you have to have steel teeth to eat it.

ENDS LIFE ON ANNIVERSARY.

Deserted Man a Suicide Exactly One Year After Marriage.

Boston, Dec. 28.—On the first anniversary of his marriage, and at the exact hour of the wedding ceremony, A. Victor Raymond to-day killed himself because his wife had left him.

He had not been seen at his Chelsea apartments since Christmas night, so today neighbors burst open his door and found him dead—three empty carbolic acid bottles beside him.

In one hand was a roughly drawn sketch of the crucifixion. On a table the husband had left the following letter, addressed to his wife:

"To-day is the day, and the time, 3:15, we were married. It is my time to die for you, Annie. I have been true to you, and I love you, but you have ruined my life forever.

"I beg God that you will get the man you love. Don't make a mistake when you marry again. You did not treat me fair. May God bless you all your life.

"Be a good girl. Take good care of yourself, and remember that I love you, my Annie. Broken-hearted VICTOR."

FATHER AT AGE OF 87.

Fourth Child Born in His Family in Seven Years.

New York, Dec. 28.—At the age of eighty-seven, Jean Henri Thiry, of 181 Academy street, Long Island City, has just become the father of his sixth child. It was a girl, born this morning. This is the fourth child Mr. Thiry has had by his second wife, whom he married in 1888.

The others were born in 1900, 1901, and 1903, and all but one are living.

Mrs. Thiry's maiden name was Margaret O'Connor. She is thirty-one years old. By his first wife, who died in 1886, Thiry had two other sons, one of whom is fifty-four years old, and the other fifty-three.

He uses both tobacco and liquor, but not to excess. Mr. Thiry was born in Belgium and came to this country in 1859. He is an authority on educational matters, and founded in this country the system of public school savings banks, which now have deposits aggregating \$15,000,000. He is a member of the National Educational Association and secretary to the local school board of Long Island City.

RAILWAY PLEADS GUILTY.

Rock Island Admits Hauling Cattle 28 Hours Without Feeding.

Chicago, Dec. 28.—United States Attorney Sims to-day forced the Chicago, Rock Island and Pacific Railroad to plead guilty to forty charges of violating the twenty-eight-hour law. This statute makes it a penalty punishable by a fine of from \$100 to \$500 for any transportation company to haul cattle for longer than twenty-eight hours without feeding, giving them water, or allowing them to be taken from the cars for rest.

The government accuses the railroad of having kept some of the cattle shipped here from Western points in over-crowded cars for seventy hours.

When the animals were taken out they fell down from exhaustion and some had to be killed at the tracks. The amount of the fines will be decided next week.

ITALIAN'S HOUSE WRECKED.

First Received Blackmailing Letters from the Black Hand.

Brownsville, Pa., Dec. 28.—The residence of R. Frediana, an Italian, was wrecked early to-day by an explosion of dynamite. The entire front of the house was blown out, but no one was injured.

Recently Frediana received letters from a Black Hand society threatening death if money was not paid the society. The authorities believe the Black Hand is responsible for the outrage to-day.

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—a whisky of the most dependable quality.

Excellent in case of grip. Bot. the.....\$1

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MR. SAUR HONORED

Turners Prepare a Diploma for Long Membership.

FIFTY YEARS IN THE UNION

Columbia Turnverein Will Make the Christmas Celebration To-morrow Night of Special Significance in Tribute to Comrade Who Marched in Lincoln Body Guard.

Christmas celebration at the Columbia Turnverein Hall to-morrow night will have a special significance in the fact that a diploma of honor will be presented to Rudolph Saur, who will celebrate to-morrow the fiftieth anniversary of his membership of the North American Gymnastic Union, which includes the turnverein, located in the Northern States.

Extensive preparations have been made for this occasion, the event being considered by the local turners as a red-letter day in the history of gymnastics as advocated by the Turnbund. The diploma was specially engraved at national headquarters at Indianapolis and is a masterpiece of the designer's and engraver's art.

Address by Prof. Spanhoff.

The presentation address will be made by Prof. Spanhoff, supervisor of the foreign languages department of the public schools. Mr. Saur is one of the pioneers of turnen in this city, and efforts will be made to-morrow to recruit the other old members of the Columbia Turnverein into a "pioneer section."

Mr. Saur, who has led a daily life as laid down by the principles of the Turners, is a hale and hearty old gentleman. He is an honorary member of the local society, as well as an honorary president of the German Union of Societies, honorary president of the Germania Maennerchor, honorary member of the Eighth Battalion and its chaplain, and a member of the Washington Saengerbund and Arion, all of which societies will be represented at the presentation.

Mr. Saur left the Fatherland in 1849 and went to Philadelphia, where in 1852 he became a member of the Philadelphia Turn Gemeinde. He was a great admirer of the founder of the turn idea, Vater Jahn, and had fully resolved to give his body and mind the untold benefits of a turner training.

In 1860 he came to this city, where he joined the Social Democratic Turnverein, which had its headquarters at Four-and-a-half street and Maine avenue. When Abraham Lincoln was inaugurated as President of the United States on March 4, 1861, the Turners formed his bodyguard on his visit to the Capitol and back again to the White House.

Marched with Body Guard.

Mr. Saur was one of the members marching in that line and keeping step to the beat of the drum, which now is in possession of the local society as a precious souvenir. When the war broke out the Turners, forming the Eighth battalion of the defenders of the National Capital, sustained the first two deaths in an outpost skirmish on the Fall Falls. Business being in bad shape after the war, the turnverein lost some of its members and activity, but, rallying again, they founded on June 27, 1867, the Columbia Turnverein.

Turner Saur has been a member of the local society since then, and has never faltered in his loyalty and allegiance to Turner principles. On September 15 last Mr. Saur celebrated his birthday anniversary, and is to-day mentally and physically as quick and strong as many of his younger colleagues. Mr. Saur has also written lyrics and ballads, and his verses have received high endorsement.

Other numbers on the Christmas programme will be recitations and instrumental solos; exhibition exercises by the turner section, including horizontal and parallel bar. A large Christmas tree will add to the joyfulness of the occasion.

KILLED AT SHOOTING MATCH.

Thomas Hickie Shot by Justice Stillington at Wabash, W. Va.

Cumberland, Md., Dec. 28.—Thomas Hickie, aged about fifty years, of Headsville, W. Va., was accidentally shot and killed yesterday at a shooting match at the little mining town of Wabash, near Elk Garden, W. Va., by Justice C. E. Stillington.

There were a number of men enjoying a shooting match, and it seems that Mr. Hickie was back and forth between the target a number of times. In starting to the target he received a ball from a Winchester rifle in the hands of Justice Stillington, who had it across a box making ready to shoot. He was in the act of letting the hammer down when it slipped, and the gun was discharged.

The ball entered the left side of Mr. Hickie, passing entirely through his body and killing him instantly. Mr. Hickie leaves a wife and eight children at Wabash.

CHARGES BANK FRAUDS.

Alleged Creditor Demands Removal of Memphis Receiver.

Memphis, Tenn., Dec. 28.—Blair Pierson, representing himself as a creditor, and declaring he represents other creditors, filed suit in chancery court this afternoon asking the removal of E. B. McHenry as receiver of the Memphis Savings Bank.

He charges fraud, committed with the full knowledge and consent of all the directors and officials. He also asked that the court order the cost paid rated among the creditors to provide for a thorough probe of all affairs of the bank, since it was reorganized in 1895, and the capital stock increased from \$50,000 to \$300,000.

Pierson charges that daily meetings of the bank's directors were held for the purpose of defrauding the creditors, and that the recapitalization was a fraud.

He asks that the officers and directors be declared personally liable.

DEATH OF MRS. PAYNE.

Wife of Washington Editor Succumbs to Tuberculosis.

Mrs. Virgie Payne, wife of George M. Payne, member of the Washington Times editorial staff, died in Charleston, W. Va., Friday night. Mrs. Payne had been ill with tuberculosis for two years.

Mrs. Payne, in addition to her husband, is survived by one child, George M. Payne, Jr.

John P. George Dead.

Special to The Washington Herald.

Richmond, Va., Dec. 28.—John Pittfield George, a prominent Confederate veteran and successful tobaccoist, died at his home in this city this morning, after an illness of several days. He leaves several brothers and sisters. Mr. George had been engaged in the export of leaf tobacco ever since the civil war.

BRIDAL COUPLE IMPRISONED.

Canadian Faces Charge in Chicago of Murdering His First Wife.

Chicago, Dec. 28.—Within an hour Omar Rochette and his bride, formerly Miss Filon Albina Marceau, young French Canadians, were transformed here to-day from a pair of happy young lovers into saddened inmates of prison cells, confronting the serious charge of being fugitives wanted for a capital offense.

Rochette, the Pinkertons say, will face a charge of having murdered his first wife, whose mysterious death in Quebec six weeks ago, was followed by the flight of the prisoners.

Miss Marceau is the daughter of the proprietor of the Hotel Marceau, a fashionable inn on the St. Lawrence River.

Rochette denied having caused his first wife's death. His greatest concern seemed to be to comfort his bride who is an attractive young woman of twenty-four.

EDDY CASE TO BE REOPENED

"Next Friends" Will Seek to Re-strain Big Gift to Charity.

Another Contest Will Be Begun on Ground that Money Promised Relatives Was Not Paid.

Boston, Dec. 28.—There is to be no delay in the reopening of the litigation over the property and mental competency of Mrs. Mary Baker Eddy, founder and leader of the Christian Science Church. Two suits aimed directly at her and her faith are to be instituted by "next friends" in the New Hampshire courts.

In one an injunction will be sought restraining her proposed \$1,000,000 gift to charity in the form of an endowment for a Christian Science educational institution "for the special benefit of the poor and the general good of all mankind."

The second will be a contest for the \$145,000 which Mrs. Eddy set aside last February for her son, George W. Glover, of Lead City, S. Dak., his wife and three children. Dr. Ebenezer J. Foster Eddy, of Waterbury Center, Vt., and certain distant relatives.

It will be asserted that the money is being kept from the Grovers because they sued to test Mrs. Eddy's mental condition. Former Senator Chandler, attorney for the "next friends," says the gathering of testimony by deposition will begin Monday.

One of the Senator's startling assertions is that the \$1,000,000 charity was not entirely Mrs. Eddy's free will.

FAVORS BIENNIAL SESSIONS.

Gov. Hughes Says \$1,500,000 a Year Could Be Saved by Them.

Albany, Dec. 28.—Gov. Hughes is in favor of biennial sessions of the legislature. Whether he will recommend biennial sessions in his annual message to the legislature on Wednesday or treat the subject in a special message later is undecided. At the last session Gov. Hughes was appalled at the mass of special legislation which was dumped into the executive chamber. He became convinced that the remedy was biennial sessions.

There are other reasons why biennial sessions appeal to those who do not make a livelihood out of politics. They would mean a saving to the State every two years of \$1,500,000, at a conservative estimate, as shown by the books in the State comptroller's office. The indirect saving financially and in the absence of bad legislation would be much greater. Then, the hold of a boss upon either State political machine would be weakened if biennial sessions were held. All these various phases of the biennial session question appeal to Gov. Hughes. Gov. Black was the first to recommend biennial sessions.

SIX BIG LINERS DUE TO-DAY

New York Steamship Arrivals Will Break Port Tonnage Record.

Customs Inspectors Will Lose Their Day Off, Owing to Extra Work on Hand.

New York, December 28.—Bad weather at sea has delayed trans-Atlantic steamships so that six big liners will come into this port to-morrow, breaking records in point of tonnage of Sunday arrivals.

Among the ships expected are three Cunard liners, and veteran mariners were unable to recall when three Cunarders arrived here before in a single day. The ships expected are the Campania, Caronia, and Pannonia, and they will berth in the Hudson River in company about 8:30 a. m. The first two are from Liverpool and Queenstown. The Pannonia comes from the Mediterranean.

The White Star liner Cedric, also from Liverpool, will dock before the Cunarders about the same time.

The Hamburg-American liner Pretoria, from the Elbe, is expected to reach Hoboken at 9 o'clock. The American liner St. Louis, from Southampton, is looked for at noon.

These six ships promise to make a very busy Sunday morning for the customs officials. All leaves of absence for to-morrow were suspended by customs authorities to-day.

CLOSING THE TREASON TRIALS.

Case of Members of First Douma Will Be Concluded on Monday.

St. Petersburg, Dec. 28.—The trial of the members of the First Douma, who signed the Viborg manifesto, calling upon the people of Russia to stand up for their rights, was continued this morning.

It had been expected that to-day would see the conclusion of the case, but, owing to the decision of several of the defendants to plead their own cases, the hearings will go over until Monday. The former deputies are being tried on charges of treason.

The final arguments will be brief and formal. The prosecutor will limit himself to summing up the illegal nature of the manifesto and the grave consequences which might have ensued had the people heeded its appeal. The defense will make its strong point on technicalities, holding that the crime, if any, was committed outside the country, and that the government has failed to establish the individual responsibility of the defendants.

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End of the Year Clearance Sale of Pianos.

A Few Odds and Ends in New Instruments.

We ordered heavily in September for our holiday stock. Christmas business was good, and we find ourselves with comparatively few new pianos on our floors. There are half a dozen beautiful "Merriam" Uprights in mahogany, walnut and oak cases, a few "Clarendon" pianos, one new "Poole" piano, and some used Steinway, Knabe, Weber, Bradbury and Chickering pianos which have been traded in. Every instrument is in first-class condition. We want to clear our rooms by Wednesday,



January 1, 1908, and until that time will offer you your choice of a regular \$325 piano in mahogany, walnut, or oak, including a stool and scarf, and music book.

For \$275.00.

Terms Cash, or \$10 cash and \$6 monthly, with slight interest charge added.

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JAPAN HAS PEACEFUL MIEN

Emperor's Speech Lays Stress on Cordial Relations Existing.

Foreign Office Discusses the Emperor's Emigration Programme with Ambassador O'Brien.

Tokyo, Dec. 28.—The twenty-fourth Diet was formally opened to-day by the Emperor, who delivered the speech from the throne in the House of Peers. The Emperor laid stress on the increasingly cordial relations with foreign powers, and the important bearing on peace in the Far East of the entente cordiale concluded with Russia and France by Japan. He dwelt on the importance of the more careful deliberation of fiscal measures, and said he expected the concurrence of the Diet in the budget which would be presented by the government.

The opening scene in the upper house was a brilliant one. The 37 members were in full evening dress, while the members of the diplomatic corps were in full uniforms. Three minutes were consumed in the delivery of the speech from the throne. The Emperor was driven to and from the Diet in a closed carriage, under the escort of a company of lanciers.

A discussion of the Japanese government's programme and method of limitation of emigration has begun between the foreign office and the American Ambassador, Mr. O'Brien. Baron Chinda, vice minister of foreign affairs, drove to the American Embassy and discussed the American proposals and suggestions offered by Ambassador O'Brien for the help of the Japanese government. It is understood that the discussion was eminently satisfactory, and that a memorandum on the subject in the shape of a reply will soon be forthcoming.

TRAIN CAUSED HER DEATH.

Coroner Decides in Case of Rockville Girl—Fatal to-morrow.

Rockville, Md., Dec. 28.—An autopsy upon the body of Miss Bessie Ricketts, who was killed at the railroad station here last evening, developed the fact that her right arm was broken, her right side badly bruised, and that she had received internal injuries.

Investigation has established beyond a doubt that she was struck by a train, but in what manner is still a mystery. No one can be found who witnessed the accident. The funeral will take place at 11 o'clock Monday morning.

WHOLE HOUSE STOLEN.

Thieves Haul Away Furnished Cottage in Gary, Ind.

Chicago, Dec. 28.—Gary, Ind., the steel town, made its strongest bid for fame since it was founded when the desk sergeant inscribed on the police station blotter last night the following record: "Stolen—One one-story frame house, completely furnished, from lot at corner of Eighth street and Broadway. Property of Fred Miller. Christmas visit."

The police found there were traces which indicated that thieves had hitched several horses to the dwelling and pulled it away, but the trail was soon lost.

WILL LECTURE ON MARS.

The lecture on Mars to be given at the Belasco Theater at 4:30 o'clock to-morrow afternoon by Dr. Todd, of Amherst, is one that should prove of unusual interest in Washington, D. C., where there are so many interested in scientific subjects. Dr. Todd, after many years of investigation, concluded that a proper study of Mars could not be made except under advantageous atmospheric conditions. He undertook an expedition to the Peruvian Andes. In his observations he took about 6,000 interesting photographs, the best of which he proposes to use for the first time in illustrating his lecture. He declares there is life on Mars.

Gambler Heavily Fined.

Special to The Washington Herald.

Richmond, Va., Dec. 28.—Joseph Canepa, who personally shouldered the responsibility for the gambling joint over the saloon of Charles D. Hutzler, which was raided by the police several days ago, was this morning, in the police court, fined \$300 and sentenced to serve a day in jail. Among the score of players captured at the tables was Herman Nolte, a justice of the peace.

WRONG LABELS ON THE GOWNS

Woman's Baggage Searched, but She Is Released.

Manager of Importing House Has Eight Trunks, but They Contain Nothing Dutiable.

New York, Dec. 28.—Custom-house officials made futile search to-day of the baggage of a woman passenger on the French Line steamer La Provence, which arrived from Havre. The woman, who resides in this city and was stunnily attired, is employed as manager for a large importing house. One of the members of the importing firm also was a passenger of the ship.

The woman brought eight trunks, and the customs officials were disappointed when they failed to discover smuggled goods, and the woman was turned over to the government inspectors, who, likewise, failed to find anything dutiable after a three-hour examination of her baggage.

The unusual inspection of the woman's baggage was due to her last sensational return from abroad. On this occasion her trunks contained thousands of dollars' worth of furs, very Parisian, but all bearing silk labels of two of the high-grade retail houses of this city. The attention of the customs officials was called to the fact that the labels were not sewed in the usual places in the gowns.